

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 IN RE CHARLES L. PATRICK,) No. C 12-00083 EJD (PR)
12 Petitioner.) ORDER OF DISMISSAL
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16 On January 5, 2012, Petitioner, who is currently incarcerated at High Desert
17 Prison in Susanville, California, filed letter discussing matters in a state criminal
18 proceedings which the Clerk construed as an intent to file a petition for a writ of
19 habeas corpus under 28 U.S.C. § 2254. The Clerk sent Petitioner a notice on the
20 same day, that he must file a petition within thirty days to avoid dismissal of the
21 action; the Clerk included a copy of the court's form petition. (See Docket No. 3.)

22 Furthermore, Petitioner did not apply for leave to proceed in forma pauperis
23 or pay the filing fee, so on the same day, the Clerk of the Court sent Petitioner a
24 notice that he must either pay the full filing fee or file an in forma pauperis
25 application within thirty days or the case would be dismissed. (Docket No. 2.)
26 Along with the notice, Petitioner was mailed the Court's In Forma Pauperis
27 Application, instructions for completing such an application, including a Certificate
28 of Funds form to be completed and signed by a prison official, and a return

1 envelope. (Id.) The deadline has since passed, and Petitioner has not complied.

2 Accordingly, this case is DISMISSED without prejudice for failure to pay the
3 filing fee. The Clerk shall terminate any pending motions and close the file.

4 DATED: 2/22/2012



5 EDWARD J. DAVILA
6 United States District Judge

United States District Court

For the Northern District of California

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

IN RE CHARLES L. PATRICK,
Petitioner.

Case Number: CV12-00083 EJD

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 2/22/2012, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Charles Ligon Patrick C-74465
High Desert Prison
P. O. Box 3030
Susanville, CA 96127

Dated: 2/22/2012

/s/ Richard W. Wieking, Clerk
By: Elizabeth Garcia, Deputy Clerk